IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.307 OF 1995

Ulhasnagar Municipal Council) ... Petitioner

Vs.

Shri Sawankumar S. Udasi & Anr.) ... Respondents

Mr. S.M. Kamble for the Petitioner.

Mr. Sheroo Kanga for Respondent No.1.

Mr. A.R. Patil, A.G.P. for the State.

CORAM : A.M. KHANWILKAR, J.

DATED : 8TH JUNE, 2006.

P.C.:-

Heard counsel for the parties. From the record, it appears that the petitioner had taken recourse to remedy of application under Order 39 Rule 2-A of the CPC in view of the breach committed by the respondent - contemnor of order dated 21st December 1994. The petitioner, however, has not placed on record the order passed on the said application. Besides, the suit itself is dismissed for want of prosecution. Taking over all view of the matter, it is not a case for proceeding further in the present contempt petition. Petition is dismissed. Notices issued to the respondents stand discharged. It is however made clear that this order will not prejudice any other remedy

available to the petitioner.

[A.M. KHANWILKAR, J.]